

DEPARTMENT OF
DEFENSE, VETERANS AND EMERGENCY MANAGEMENT
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Inter-Departmental Memorandum

May 16, 2013

TO: All Defense, Veterans and Emergency Management Employees

FROM: Brigadier General James D. Campbell, Commissioner/Adjutant General

SUBJECT: DVEM Policy 13-06, Tobacco-Free Workplace Policy

1. This memorandum supersedes DVEM Policy 12-04, dated September 20, 2012, Subject: Protecting Employees and the Public from Exposure to Tobacco Products in and Around Federal and State Buildings and Facilities. This memorandum of policy is effective immediately and remains in effect until renewed or revoked.

2. References:

- a. DoD Directive 1010.10, Health Promotion and Disease/Injury Prevention
- b. Army Regulation (AR) 600-63, Army Health Promotion, dated May 7, 2007
- c. Air Force Instruction (AFI) 40-102, Tobacco Use in the Air Force dated March 26, 2012
- d. Army Regulation (AR) 215-1, Morale, Welfare & Recreation, dated September 24, 2010
- e. State of Maine Policy, Tobacco-Free Workplace, dated January 1, 2013
- f. Executive Order 13058 – Protecting Federal Employees and the Public from Exposure to Tobacco Smoke in the Federal Workplace
- g. Code of Federal Regulations (CFR), Title 41, Part 102-74

3. The Department of Defense, Veterans and Emergency Management (“DVEM”) and the State of Maine have established policies supporting a tobacco-free workplace. Tobacco use is one of the leading causes of preventable death in the United States. Tobacco use degrades the state of military readiness and the health of our military and civilian members while reflecting poorly on our organizational image and appearance.

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4. The federal and state policies differ slightly in their restrictions. The Federal policy allows, but discourages, the use of tobacco products on the installations. The State policy expressly forbids the use of tobacco products on most state property. It is my intent as Commissioner and State Adjutant General to implement the following policy. All state properties will be Tobacco Free, all federal properties will limit tobacco use to a few Designated Tobacco use Areas. (DTAs). Appendix A lists the state and federal facilities.

5. DVEM is committed to providing a healthy and productive work environment for employees, clients, visitors, and contractors. The ultimate goal of Tobacco-Free Workplace Policies is to improve the health and productivity of our most valued resource-our employees.

6. DVEM will distribute information about tobacco cessation programs and encourage our workforce to take advantage of these programs.

7. Within 90 Days of the Date of this memorandum, DVEM will fully implement a Tobacco-Free Workplace Policy for all state owned properties that fall under our organizational authority.

8. The Tobacco-Free Workplace Policy, is clearly stated below:

The use of tobacco products is prohibited within the boundaries of all federal and state workplaces, including all buildings, facilities, indoor and outdoor spaces and the surrounding grounds owned, managed, or inhabited by the Department of Defense, Veterans and Emergency Management. This policy applies to parking lots, walkways, vehicles, aircraft, and also to privately owned vehicles that are parked or operated on our properties. For illustrative purposes of this policy, tobacco is defined as any type of tobacco product to include, but not limited to: cigarettes, cigars, cigarillos, electronic cigarettes, pipes, bides, hookahs, smokeless, spit tobacco or snuff.

9. This policy does not affect individual tobacco use on private property, public roads or sidewalks. The success of this policy depends upon the courtesy and cooperation of both tobacco users and nonusers. Everyone is responsible for respectfully following and helping implement these policies.

10. Other command guidance and policy considerations:

a. State Facilities: Each installation's building manager will acquire and prominently post as many signs as deemed necessary to publicize the tobacco-free workplace policy. The signs will state that:

**“THIS IS A TOBACCO FREE INSTALLATION AND USE
OF ANY TOBACCO PRODUCT IS PROHIBITED”**

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b. Federal Facilities: Each installation's building manager will acquire and prominently post as many signs as deemed necessary to publicize that tobacco use is strictly restricted to Designated Tobacco Areas ("DTAs"). The signs will state that:

"TOBACCO USE IS RESTRICTED TO DESIGNATED TOBACCO AREAS (DTA). USE
OF TOBACCO PRODUCTS OUTSIDE DTAs IS PROHIBITED."

c. All DTAs or designated smoking areas will be removed from every state facility. Pavilions and canopies formerly used as DTAs may be designated to support other operations. However, there will be no tobacco product receptacles provided at any building entrances, exits, or former DTAs.

d. All DTAs on federal property will be reviewed for compliance with applicable service regulations. DTAs will be determined by applicable service regulations; if a federal property has multiple buildings, not every building will have a DTA. Only approved containers will be made available and used in DTAs.

e. Uniformed military members and all other employees at temporary duty locations are encouraged to follow the provisions of this policy and must follow the tobacco use policy of the temporary duty location.

f. Time allotted to use tobacco products is during normal break time. There are no additional breaks for use of tobacco products. Full-time employees are afforded two fifteen minute breaks, one in the morning and one in the afternoon and a thirty minute unpaid lunch break.

g. The tobacco free workplace policy also applies outside state facilities. This means that tobacco use will not be authorized for anyone supporting external public affairs events or external recruiting and retention initiatives.

h. Enforcement of this policy is expected. Violation of this policy subjects the individual to progressive discipline consistent with the terms of the applicable collective bargaining agreement (CBA), Technician Personnel Regulation (TPR) or other applicable laws, regulations, or policies and may include punitive measures.

11. Tobacco Use Cessation Programs:

a. The State of Maine is committed to providing support to people who wish to stop using tobacco products by giving them access to a variety of resources, including group counseling. Tobacco users are encouraged to contact the Maine Tobacco Hotline by calling the toll free number at 1-800-207-1230.

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b. DVEM Employees can also use the Partnership For A Tobacco-Free Maine Program which can be found at the following web link: <http://www.tobaccofreemaine.org/>

c. Tobacco Information and Prevention Source (TIPS) sponsored by CDC's Office on Smoking and Health, provides a comprehensive array of information and resources, including publications on stopping the use of tobacco. This site is available at <http://www.cdc.gov/tobacco>

d. Federal Technicians may make use of the Employee Assistance Program by calling 1-800-869-0276.

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Brigadier General James D. Campbell
Commissioner and The Adjutant General